

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT :
AND STATEMENT OF CHARGES AGAINST : ORDER AMENDING TERMS AND
FRANCIS SIMPSON CONWAY, M.D., : CONDITIONS OF PROBATION
RESPONDENT. :

NOW on this 13th day of January, 1977, the above entitled matter having come on regularly for hearing before the Iowa State Board of Medical Examiners and the Board having considered the recommendation from John A. Graf, M.D., Mayo Clinic, Rochester, Minnesota, relative to the respondent's rehabilitation from the problem of drug dependency and his professional opinion that there is no reasonable psychiatric contraindication at this time to the respondent resuming the full practice of medicine which would be possible with the restoration of unconditional licensure and hospital privileges, the Board does now make and enter the following Order.

IT IS HEREBY ORDERED that the Order of Commissioner of Public Health which was entered in the above entitled matter on January 19, 1976, be, and the same is hereby amended by striking therefrom the provisions of paragraph nine (9) and the terms and provisions thereof are of no further force and effect.

IT IS FURTHER HEREBY ORDERED THAT the respondent is hereby authorized to amend his Federal Control Substance registration from a limited registration to a full and unrestricted registration, including Schedules II and II N and all other schedules under the Control Substance Act of 1970 and Chapter 204 of the 1975 Code of Iowa.

IOWA STATE BOARD OF MEDICAL EXAMINERS

BY Ronald V. Saf
Ronald V. Saf, Executive Director



State Department of Health (11)

NORMAN L. PAWLEWSKI
COMMISSIONER
LUCAS STATE OFFICE BUILDING
DES MOINES, IOWA 50319

January 15, 1976

CERTIFIED MAIL

Francis Simpson Conway, M.D.
806 Broadway
Emmetsburg, IA 50536

Re: Complaint and Statement of Charges
Against Francis Simpson Conway, M.D.

Dear Doctor Conway:

In accordance with the provisions of Section 148.7
of the Code of Iowa, enclosed are copies of the Findings
of Fact and Decision and the Order in the above captioned
matter.

Sincerely,

A handwritten signature in cursive script that reads "Norman L. Pawlewski".

Norman L. Pawlewski
Commissioner of Public Health

Enclosures
cc: Ronald Saf

BEFORE THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT

AND STATEMENT OF CHARGES AGAINST

FRANCIS SIMPSON CONWAY, M.D.,

RESPONDENT.

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O R D E R

NOW on this 19th day of January, 1976, the Findings of Fact and Decision of the State Board of Medical Examiners, having been filed with the Commissioner of Public Health on the 19th day of January, 1976, and the undersigned Commissioner of Public Health having reviewed the file and being fully advised in the premises FINDS:

1. That the respondent and the State Board of Medical Examiners have agreed and said agreement should be approved, that the order of revocation hereinafter issued shall be subject to the following terms and conditions, in all matters pertaining to the revocation and probation of the respondent's license to practice as a physician and surgeon in this State.

THEREFORE, IT IS HEREBY ORDERED, that the license and certificate to practice as a physician and surgeon in this state, heretofore issued to the respondent, Francis Simpson Conway, M.D., on the 15th day of January, 1960, as evidenced by Certificate Number 16050, recorded in Book 3 at page 630 of the records of the Iowa State Department of Health, be, and the same is hereby revoked; provided, however, that the execution of this order, be, and the same is hereby stayed for the period of five years, upon the following terms and conditions:

1. The respondent is hereby placed on probation for a period of five (5) years.

2. That during the respondent's term of probation, he shall make annual appearances before the State Board of Medical Examiners. The respondent shall be notified of the exact time and place of these annual meetings.

3. The respondent shall immediately make provision for continuous psychiatric evaluation and treatment by a psychiatrist approved by the State Board of Medical Examiners.

4. The respondent shall authorize any physician who treats him as a patient to submit to the State Board of Medical Examiners a report of his mental or physical condition and prescribed course of treatment. The treating physician shall also submit additional reports whenever, or as often as, the Board shall so direct.

5. The respondent shall submit to an examination by a physician designated by the State Board of Medical Examiners whenever, or as often as, the Board shall so direct.

6. The discontinuance of medical treatment by respondent without prior consent of his attending physician or the State Board of Medical Examiners shall automatically and forthwith result in the suspension of the respondent's license to practice medicine and surgery in this state and any attempt to so practice during this period of suspension shall be deemed to be a violation of his probation and good cause for the dissolution of same. The said suspension shall terminate under circumstances in which the respondent shall resume treatment or care and under circumstances where he shall not otherwise have violated any other provision herein expressed.

7. The respondent shall completely abstain from the personal use of all controlled substances or drugs in any form, unless prescribed for him by a duly licensed physician.

8. That during the respondents period of probation he will be required to undergo periodic urine screening examinations as prescribed by the State Board of Medical Examiners.

9. The respondent's Federal Controlled Substance registration number shall be limited or restricted by withdrawing from his Federal Controlled Substances registration the use of Schedule II and Schedule II N and he shall not prescribe, administer or dispense drugs or substances in Schedule II or Schedule II N under the Control Substance Act of 1970 or Chapter 204 of the 1975 Code of Iowa, unless authorized in writing by the State Board of Medical Examiners.

10. The respondent shall obey all state and federal laws regarding the administering, dispensing or prescribing of any controlled substance as defined in the Control Substance Act of 1970 and Chapter 204 of the 1975 Code of Iowa.

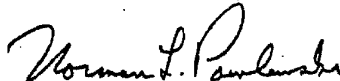
11. The respondent shall obey and fully comply with all rules, regulations, restrictions, requirements, and directives of any hospital, or the medical staff hereof, in which he shall practice medicine.

12. The respondent shall, during his probation period, demonstrate the type of exemplary conduct required of a duly licensed physician in the State of Iowa.

13. The respondent shall submit quarterly reports to the Director of the State Board of Medical Examiners stating that he has fully and faithfully complied with all the terms and provisions imposed herein.

That upon full compliance with the terms and conditions herein set forth and upon expiration of the term of probation herein fixed, respondent's said license shall be restored to its full privileges free and clear of the terms of the probation herein imposed,

provided, however, that in the event respondent violates or fails to comply with any of the terms and conditions of this order, the State Board of Medical Examiners, upon receipt of satisfactory evidence thereof, may forthwith terminate said probation, cancel and revoke said stay of execution of this order, and direct that the order of revocation herein made shall become effective immediately.


Norman Pawlewski
Commissioner of Public Health
Robert Lucas State Office Bldg.
Des Moines, Iowa 50319

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT
AND STATEMENT OF CHARGES AGAINST
FRANCIS SIMPSON CONWAY, M.D.,
RESPONDENT.

FINDINGS OF FACT AND
DECISION

This matter having come on for hearing on Thursday,
the 8th day of January, 1976, at 11:30 o'clock a.m. in Room
910, Insurance Exchange Building, Des Moines, Iowa, before the
above entitled Board, at which time John M. Rhodes, M.D., Chair-
man, Kenneth R. Carrell, D.O., Vice Chairman, Howard G. Ellis,
M.D., Secretary, Hal R. Hirtleman, M.D., Rosalie B. Neligh, M.D.,
Cyrus L. Beys, M.D., Frederick W. Hettler, D.O., Mrs. Shelia D.
Sidles and Joseph A. McCaffrey, Ph.D., all duly appointed, qual-
ified and acting members of the Board were present.

The respondent, Francis Simpson Conway, M.D., appeared
in person, but was not represented by counsel.

The Board, having reviewed and fully considered the Com-
plaint and Statement of Charges heretofore filed herein, and
having considered the evidence and being fully advised in the
premises does now make and enter the following findings of fact
and Decision.

FINDINGS OF FACT

1. That the respondent, Francis Simpson Conway, M.D.,
was issued a license to practice medicine and surgery in the State
of Iowa on the 15th day of January, 1960, as evidenced by Certificate
No. 16050 recorded in Book 3 at page 630 of the records of the
Iowa State Department of Health.

2. That the respondent, Francis Simpson Conway, M.D., having been given notice of hearing as provided by order of this Board and having waived due and timely service of notice by accepting service of notice as to time and place of hearing, the Board now has jurisdiction of this case, the parties and the subject matter hearing.

3. That the respondent has been dependent upon the use of drugs which is grounds for revocation or suspension of his medical license under the provisions of Sections 147.55, subsection 4, and Sections 148.6, subsection 1h of the 1975 Code of Iowa.

4. That the respondent has willfully and repeatedly violated Title VIII, the general provisions regulating the practice of medicine and surgery, which is grounds for revocation or suspension of his medical license under the provisions of Section 147.55, subsection 9, of the 1975 Code of Iowa.

5. That the allegations of the Complaint and Statement of Charges filed herein are material and true and the complainant on behalf of the State of Iowa is entitled to the relief prayed for in the Complaint and Statement of Charges.

DECISION

The Board of Medical Examiners recommends to the Commissioner of Public Health and it is the decision of the Board that the license to practice medicine and surgery heretofore issued to the respondent, Francis Simpson Conway, M.D., on the 15th day of January, 1960, as evidenced by Certificate No. 16850, recorded in Book 3 at page 630 of the records of the Iowa State Department of Health, be, and the same is hereby revoked; provided, however, that the execution of this order, be, and the same is hereby stayed for a period of five (5) years upon the following terms and conditions:

1. The respondent is hereby placed on probation for a period of five (5) years.

2. That during the respondent's term of probation, he shall make annual appearances before the State Board of Medical Examiners. The respondent shall be notified of the exact time and place of these annual meetings.

3. The respondent shall immediately make provision for continuous psychiatric evaluation and treatment by a psychiatrist approved by the State Board of Medical Examiners.

4. The respondent shall authorize any physician who treats him as a patient to submit to this Board a report on his mental or physical condition and prescribed course of treatment. The treating physician shall also submit additional reports whenever, or as often as, this Board shall so direct.

5. The respondent shall submit to an examination by a physician designated by this Board whenever, or as often as, this Board shall so direct.

6. The discontinuance of medical treatment by respondent without prior consent of his attending physician or the Board of Medical Examiners shall automatically and forthwith result in the suspension of the respondent's license to practice medicine and surgery in this state and any attempt to so practice during this period of suspension shall be deemed to be a violation of his probation and good cause for the dissolution of same. The said suspension shall terminate under the circumstances in which the respondent shall resume treatment of care and under circumstances where he shall not otherwise have violated any other provision herein expressed.

7. The respondent shall completely abstain from the personal use of all controlled substances or drugs in any form, unless prescribed for him by a duly licensed physician.

8. That during the respondents period of probation he will be required to undergo periodic urine screening examinations as prescribed by the Board.

9. The respondent's Federal Controlled Substance registration number shall be limited or restricted by withdrawing from his Federal Controlled Substance registration the use of Schedule II and Schedule II N and he shall not prescribe, administer or dispense drugs or substances in Schedule II or Schedule II N under the Control Substance Act of 1970 or Chapter 204 of the 1975 Code of Iowa unless authorized in writing by this Board.

10. The respondent shall obey all state and federal laws regarding the administering, dispensing or prescribing of any controlled substance as defined in the Control Substance Act of 1970 and Chapter 204 of the 1975 Code of Iowa.

11. The respondent shall obey and fully comply with all rules, regulations, restrictions, requirements, and directives of any hospital, or the medical staff hereof, in which he shall practice medicine.

12. The respondent shall, during his probation period, demonstrate the type of exemplary conduct required of a duly licensed physician in the State of Iowa.

13. The respondent shall submit quarterly reports to the Director of the State Board of Medical Examiners stating that he has fully and faithfully complied with all the terms and provisions imposed herein.

That upon full compliance with the terms and conditions herein set forth and upon expiration of the term of probation herein fixed, respondent's said license shall be restored to its full privileges free and clear of the terms of the probation herein imposed, provided, however, that in the event respondent violates or fails to comply with any of the terms and conditions of this Order of Probation, the Board, upon receipt of satisfactory evidence thereof, may forthwith terminate said probation, cancel and revoke said stay of execution, and direct that the order of revocation herein made shall become effective immediately.

That pursuant to the provisions of Section 148.6 of the 1975 Code of Iowa, the Commissioner of Public Health is hereby directed to issue an order in conformity with the provisions of the decision of the Board set out herein.

IOWA STATE BOARD OF MEDICAL EXAMINERS

BY:

John M. Rhodes, M.D., Chairman

Kenneth R. Carrell, D.O., Vice Chairman

Howard G. Ellis, M.D., Secretary

Hal R. Hixeman, M.D.

Rosalie B. Neligh, M.D.

Cyrus L. Beye, M.D.

Frederick V. Hetzler, D.O.

Sheila D. Sidles

Joseph A. McElfrey, Ph.D.

APPROVED AS TO FORM:

Francis S. Conway, M.D.
Respondent. 806 Broadway,
Emmetsburg, Iowa